

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MUSTAFA MOUSAB ALOWEMER

Criminal No. 19-219

JOINT STATUS REPORT

AND NOW comes the United States of America, by its attorneys, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and Soo C. Song, Assistant United States Attorney for said district, and Mr. Mustafa Mousab Alowemer, by his attorney, Andrew Lipson, Assistant Federal Public Defender, and hereby submits the following status report in response to the Court's Order of June 11, 2020, (Doc. No. 66). The parties have met and conferred and reached an agreement regarding aspects of the case that may require additional time to resolve.

On June 8, 2020, the defense moved for an additional 90-day extension of the time to file pretrial motions, until September 7, 2020, citing COVID-19 as well as other unique aspects of the case, including the need to translate Arabic speech and text, and the potential collateral immigration consequences to the defendant. Doc. No. 63. The United States did not oppose the Motion outright, but asserted that an open-ended continuance without "periodic, detailed accounting of defense progress in the case" would not "fairly protect the interests of the public and the defendant in a speedy trial." Doc. No. 64.

This Court entered an order on June 11, 2020, granting the defense motion, in part, and: 1) extending the pretrial motions deadline until July 23, 2020; 2) ordering that the parties "meet and confer to develop a plan and timeline to prepare this case for trial or other timely disposition." Doc. No.'s 65, 66.

To assure that the case progresses towards trial or a negotiated resolution, the parties have conferred and agreed to bi-weekly conferences. Defense counsel asserts that the need for additional time is driven by the need to obtain an expert forensic evaluation of the defendant. This cannot occur until defense counsel and/or the expert resume in-person visits with the defendant at the jail where he is incarcerated. In addition, there are outstanding investigative, national security matters of interest to the United States for which additional communications with defense counsel and/or the defendant will be beneficial. Given the sensitive nature of these investigative issues, in-person, secure communications between defense counsel and Mr. Alowemer are necessary.¹

Given the above, the parties agree that, given the disruption occasioned by COVID-19, additional time may be required to prepare the case for resolution. Should the Court agree, the defense pretrial motions deadline could be extended to September 7, 2020, to allow for the resolution of both the forensic evaluation and the outstanding investigative interests referenced above. Both the United States and defense counsel on behalf of defendant Mustafa Mousab Alowemer are willing to provide further detail or information to the Court should the Court seek written or telephonic clarification.

¹ The United States did inquire about the viability of secure teleconference capability at the institution where the defendant is being housed. At present, while they have teleconference access, it is not, according to the institution, completely private.

Respectfully submitted,

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